



**THE CITY OF NEW YORK
LAW DEPARTMENT**

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September 14, 2018

BY ECF

Honorable Robert M. Levy
United States Magistrate Judge
United States District Court
Eastern District of New York
225 Cadman Plaza East
Brooklyn, New York 11201

Re: Shatee Denmark v. City of New York, et al., 16-CV-7103 (NGG) (RML)

Your Honor:

I am an Assistant Corporation Counsel in the Office of Zachary W. Carter, Corporation Counsel of the City of New York, and the attorney representing the City of New York in the above-referenced case. Defendant City writes respectfully to request a 30-day extension of time, from September 14, 2018 to October 14, 2018, to provide the names and service addresses of the individually named defendants. This is defendants' third such request. Plaintiff's counsel, Robert Marinelli, consents to this request.

Since defendant City's last request for an extension of time, this Office has been working diligently to identify all of the 32 officers named in the First Amended Complaint and determine their involvement, if any, in the alleged incident. To date, the undersigned has identified and interviewed 24 current and former police officers.

In the process of investigating the incident, it has come to this Office's attention that five of the individuals named in the First Amended Complaint have retired from the New York City Police Department. Accordingly, the NYPD's Legal Bureau has mailed authorization forms allowing those individuals to designate the NYPD as an agent for service of process. This Office is still awaiting forms from four of the five retired individuals, and is still investigating those individuals' involvement.

Once this Office completes its investigation, plaintiff intends to file a Second Amended Complaint, naming as defendants only those individuals who were involved in or present for the alleged incident. Thereafter, defendants will provide plaintiff with the names and service addresses of the officers named in the Second Amended Complaint.

Accordingly, to allow this process to run its course, and assuming the Court permits this course of action, defendant City respectfully requests a 30-day extension of time, to October 14, 2018, to provide the names and service addresses of the individual defendants.

Defendant City thanks the Court for its time and consideration of this request.

Respectfully submitted,

/s/

Geoffrey M. Stannard
Assistant Corporation Counsel
Special Federal Litigation Division

cc: **BY ECF**
Robert Marinelli, Esq., *Attorney for Plaintiff*